

an analysis of efforts by covered nations to exploit the visa programs described in subsection (a) and coerce individuals participating in such visa programs to aid in espionage or intellectual property theft by covered nations or entities under the jurisdiction of such covered nations.

**SA 1964.** Mr. COTTON submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division B, add the following:

**SEC. 2309. PROHIBITION AGAINST NATIONAL SCIENCE FOUNDATION FUNDING FOR FOREIGN ENTITIES OF CONCERN.**

(a) DEFINITIONS.—In this section:

(1) COVERED NATION.—The term “covered nation” has the meaning given the term in section 2533c(d) of title 10, United States Code.

(2) FOREIGN ENTITY OF CONCERN.—The term “foreign entity of concern” has the meaning given the term in section 2307(a)(1).

(b) INELIGIBILITY FOR NATIONAL SCIENCE FOUNDATION FUNDING.—Notwithstanding any other provision of law, the Director of the National Science Foundation may not issue an award to—

(1) a foreign entity of concern; or

(2) an applicant operating on behalf of a foreign entity of concern.

(c) RULE OF CONSTRUCTION.—For the purposes of subsection (b), nothing in section 2307(a)(1)(C) may be construed to prohibit a United States company or a company of an allied nation that maintains a subsidiary operation in a covered nation or a United States university that maintains a branch campus in a covered nation from receiving National Science Foundation funds at United States locations strictly because of the existence of such subsidiary operation or branch campus.

**SA 1965.** Mr. ROMNEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. CHINA GRAND STRATEGY.**

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:  
(A) The United States is in a geostrategic competition with the People's Republic of China, a great power that is challenging the United States in the diplomatic, economic, military, technological, and informational domains.

(B) During the geostrategic competition with the Soviet Union, the United States articulated and refined its strategy to ensure ultimate success.

(C) President Eisenhower utilized experts from both within and outside the United States Government during Project Solarium to produce NSC 162/2, a “Statement of Policy by the National Security Council on Basic National Security Policy” in order to “meet the Soviet Threat to U.S. security” and guide United States national security policy.

(D) President Ford authorized the Team B project to draw in experts from outside the United States Government to question and strengthen the analysis of the Central Intelligence Agency.

(E) A model for United States strategy on a great power competitor is the January 17, 1983, National Security Decision Directive Number 75, approved by President Reagan, to organize United States strategy toward the Soviet Union in order to clarify and orient United States policies towards specific objectives vis a vis the Soviet Union.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the United States should draw upon previous successful models of grand strategy to articulate a strategy that appropriately addresses the evolving challenges and contours of the current geostrategic competition with the People's Republic of China.

(b) CHINA GRAND STRATEGY.—

(1) IN GENERAL.—Not later than 30 days after the date on which the President first submits to Congress a national security strategy under section 108 of the National Security Act of 1947 (50 U.S.C. 3043) after the date of the enactment of this Act, the President shall commence developing a comprehensive report that articulates the strategy of the United States with respect to the People's Republic of China (in this section referred to as the “China Grand Strategy”) that builds on the work of such national security strategy.

(2) SUBMITTAL.—Not later than 270 days after the date on which the President first submits to Congress a national security strategy under section 108 of the National Security Act of 1947 (50 U.S.C. 3043) after the date of the enactment of this Act, the President shall submit to Congress the China Grand Strategy developed under paragraph (1).

(3) FORM.—The China Grand Strategy shall be submitted in classified form and shall include an unclassified summary.

(c) CONTENTS.—The China Grand Strategy developed under subsection (b) shall set forth the national security strategy of the United States with respect to the People's Republic of China and shall include a comprehensive description and discussion of the following:

(1) The worldwide interests, goals, and objectives of the United States, including national security interests, within the context of the competition with the People's Republic of China.

(2) The foreign and economic policy, worldwide commitments, and national defense capabilities of the United States necessary to deter aggression and to implement the national security strategy of the United States within the context of the competition with the People's Republic of China.

(3) How the United States will exercise the political, economic, military, diplomatic, and other elements of its national power to protect or advance its interests and achieve the goals and objectives referred to in paragraph (1).

(4) The adequacy of the capabilities of the United States Government to carry out the national security strategy of the United States within the context of the competition

with the People's Republic of China, including an evaluation—

(A) of the balance among the capabilities of all elements of national power of the United States; and

(B) the balance of all United States elements of national power in comparison to equivalent elements of national power of the People's Republic of China.

(5) The assumptions and end-state or end-states of the strategy of the United States with respect to the People's Republic of China.

(6) Such other information as the President considers necessary to help inform Congress on matters relating to the national security strategy of the United States with respect to the People's Republic of China.

(d) ADVISORY BOARD ON CHINA GRAND STRATEGY.—

(1) ESTABLISHMENT.—There is hereby established in the executive branch a commission to be known as the “Advisory Board on China Grand Strategy” (in this section referred to as the “Board”).

(2) PURPOSE.—The purpose of the Board is to convene outside experts to advise the President on development of the China Grand Strategy.

(3) DUTIES.—

(A) REVIEW.—The Board shall review the current national security strategy of the United States with respect to the People's Republic of China, including assumptions, strategy, and end-state or end-states.

(B) ASSESSMENT AND RECOMMENDATIONS.—The Board shall analyze the United States national security strategy with respect to the People's Republic of China, including challenging its assumptions and approach, and make recommendations to the President for the China Grand Strategy.

(4) COMPOSITION.—

(A) RECOMMENDATIONS.—Not later than 30 days after the date on which the President first submits to Congress a national security strategy under section 108 of the National Security Act of 1947 (50 U.S.C. 3043) after the date of the enactment of this Act, the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives shall each provide to the President a list of at not fewer than 6 candidates for membership on the Board, at least 3 of whom shall be individuals in the private sector and 3 of whom shall be individuals in academia or employed by a nonprofit research institution.

(B) MEMBERSHIP.—The Board shall be composed of 8 members appointed by the President as follows:

(i) Four shall be selected from among individuals in the private sector.

(ii) Four shall be selected from among individuals in academia or employed by a nonprofit research institution.

(iii) Two members should be selected from among individuals included in the list submitted by the majority leader of the Senate under subparagraph (A), of whom—

(I) one should be selected from among individuals in the private sector; and

(II) one should be selected from among individuals in academia or employed by a nonprofit research institution.

(iv) Two members should be selected from among individuals included in the list submitted by the minority leader of the Senate under subparagraph (A), of whom—

(I) one should be selected from among individuals in the private sector; and

(II) one should be selected from among individuals in academia or employed by a nonprofit research institution.

(v) Two members should be selected from among individuals included in the list submitted by the Speaker of the House of Representatives under subparagraph (A), or whom—

(I) one should be selected from among individuals in the private sector; and

(II) one should be selected from among individuals in academia or employed by a non-profit research institution.

(vi) Two members should be selected from among individuals included in the list submitted by the minority leader of the House of Representatives under subparagraph (A), of whom—

(I) one should be selected from among individuals in the private sector; and

(II) one should be selected from among individuals in academia or employed by a non-profit research institution.

(C) NONGOVERNMENTAL MEMBERSHIP; PERIOD OF APPOINTMENT; VACANCIES.—

(i) NONGOVERNMENTAL MEMBERSHIP.—An individual appointed to the Board may not be an officer or employee of an instrumentality of government.

(ii) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the Board.

(iii) VACANCIES.—Any vacancy in the Board shall be filled in the same manner as the original appointment.

(5) DEADLINE FOR APPOINTMENT.—Not later than 60 days after the date on which the President first submits to Congress a national security strategy under section 108 of the National Security Act of 1947 (50 U.S.C. 3043) after the date of the enactment of this Act, the President shall—

(A) appoint the members of the Board pursuant to paragraph (4); and

(B) submit to Congress a list of the members so appointed.

(6) EXPERTS AND CONSULTANTS.—The Board is authorized to procure temporary and intermittent services under section 3109 of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay under level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(7) SECURITY CLEARANCES.—The appropriate Federal departments or agencies shall cooperate with the Board in expeditiously providing to the Board members and experts and consultants appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person may be provided with access to classified information under this Act without the appropriate security clearances.

(8) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall only be received, handled, stored, and disseminated by members of the Board and any experts and consultants consistent with all applicable statutes, regulations, and Executive orders.

(9) NONAPPLICABILITY OF CERTAIN REQUIREMENTS.—The Federal Advisory Committee Act (5 U.S.C. App.) and section 552b of title 5, United States Code (commonly known as the “Government in the Sunshine Act”), shall not apply to the Board.

(10) UNCOMPENSATED SERVICE.—Members of the Board shall serve without compensation.

(11) COOPERATION FROM GOVERNMENT.—In carrying out its duties, the Board shall receive the full and timely cooperation of the heads of relevant Federal departments and agencies in providing the Board with analysis, briefings, and other information necessary for the fulfillment of its responsibilities.

(12) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$2,000,000 for the period of fiscal years 2022 and 2023.

(13) TERMINATION.—The Board shall terminate on the date that is 60 days after the date on which the President submits the China Grand Strategy to Congress under subsection (b)(2).

**SA 1966.** Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II of division E, add the following:

**SEC. 5214. MODIFICATION OF DEFINITION OF DOMESTIC SOURCE UNDER DEFENSE PRODUCTION ACT OF 1950.**

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) rare earth elements are among the materials the United States domestic industrial base requires to produce modern high-tech devices;

(2) the People’s Republic of China possesses more than 80 percent of the world’s capacity to process raw ore for rare earth elements, and is the world’s biggest reserve, producer, consumer, processor, importer, and exporter of rare earth elements;

(3) Greenland, a self-governing territory of Denmark in North America, sits on vast, untapped reserves of critical minerals, including rare earth elements; and

(4) rare earth elements are critically important inputs for the United States domestic industrial base.

(b) MODIFICATION OF DEFINITION.—Section 702(7)(A) of the Defense Production Act of 1950 (50 U.S.C. 4552(7)(A)) is amended by striking “or Canada” and inserting “, Canada, or Greenland”.

**SA 1967.** Mr. HAGERTY (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

**SEC. 6302. PREVENTION OF ABUSE OF FLEXIBILITIES IN RULES AND NEGOTIATIONS GIVEN BY THE WORLD TRADE ORGANIZATION TO DEVELOPING COUNTRIES.**

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the World Trade Organization (WTO) was established to catalyze economic growth and raise standards of living by establishing international trade rules based on principles of transparency, openness, and predictability;

(2) the WTO continues to use a dichotomy between developed and developing countries

that has allowed some WTO members to gain unfair advantages in the international trade arena;

(3) China continues to declare itself a developing country and avail itself of flexibilities under WTO rules;

(4) China has the second largest gross domestic product in the world;

(5) China is the largest global exporter of goods and accounts for more than 10 percent of total global exports of goods;

(6) the outbound and inbound foreign direct investment of China exceeds that of most member countries of the Organization for Economic Cooperation and Development;

(7) China, however, continues to declare itself a developing country to enjoy the special and differential treatment provisions that come with that status; and

(8) when the largest economies claim developing country status, they potentially harm not only other developed countries but also developing economies that require special and differential treatment.

(b) PREVENTION OF ABUSE OF FLEXIBILITIES.—

(1) IN GENERAL.—The United States Trade Representative shall use all available means as the Trade Representative considers appropriate to secure changes at the World Trade Organization that would prevent self-declared developing countries from availing themselves of flexibilities in the rules and negotiations at the WTO that are not justified by appropriate economic and other indicators, as determined by the Trade Representative.

(2) COOPERATION.—The Trade Representative shall carry out the requirements under paragraph (1) in cooperation with other like-minded WTO members.

(3) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Trade Representative shall submit to Congress a report on the progress of the Trade Representative in carrying out paragraph (1).

(c) TREATMENT BY UNITED STATES.—Not later than 270 days after the date of the enactment of this Act, if the Trade Representative determines that substantial progress has not been made toward securing the changes described in subsection (b)(1), the Trade Representative shall, as the Trade Representative considers appropriate, no longer treat as a developing country for the purposes of the WTO any WTO member that, in the judgment of the Trade Representative, is improperly declaring itself a developing country and inappropriately seeking the benefit of flexibilities in the rules and negotiations at the WTO.

(d) PUBLICATION.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Trade Representative shall publish on an internet website of the Office of the United States Trade Representative a list of all self-declared developing countries that the Trade Representative determines are inappropriately seeking the benefit of developing-country flexibilities in the rules of and negotiations by the WTO.

(2) UPDATE.—The Trade Representative shall update the list under paragraph (1) not less frequently than annually.

(e) DEFINITIONS.—In this section, the terms “World Trade Organization”, “WTO”, and “WTO member” have the meanings given those terms in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501).

**SA 1968.** Mr. CORNYN (for himself, Mr. KELLY, Mr. RUBIO, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for